

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT COURT OF NEW MEXICO

STATE OF NEW MEXICO <i>ex rel.</i>)	
State Engineer, <i>et al.</i> ,)	
)	
Plaintiffs,)	69cv07941-BB-ACE
)	
vs.)	RIO CHAMA ADJUDICATION
)	
ROMAN ARAGON, <i>et al.</i> ,)	Canjilon Creek, Section 3
)	
Defendants.)	
_____)	

MOTION TO JOIN ADDITIONAL PARTY DEFENDANT

COMES NOW the Plaintiff State of New Mexico, *ex rel.* State Engineer (“State”) and respectfully requests the Court to join as an additional party the person named below and order her to answer the State’s Complaint in this action as required in any civil action in the United State District Court or suffer default judgment against them. In support of this motion, the State asserts:

1. The person listed below is diverting and using or may claim the right to divert and use surface or underground waters within the Rio Chama Stream System.

Adela Martinez	CHCJ-006-0003E	P.O. Box 507
		Canjilon, NM 87515

These waters belong to the public and are subject to appropriation in accordance with laws of the State of New Mexico. This Court has exclusive jurisdiction to adjudicate all claims to the right to divert, store, or use public waters of the Rio Chama Stream System.

2. The person listed above is in Section 3 of the Rio Chama Stream System, and may be diverting and using water associated with the subfile number listed, or may

otherwise be using or diverting surface or underground waters within Section 3 of the Rio Chama Stream System.

Dated: December 18, 2006

Respectfully submitted,

/s/ Chris Lindeen
L. Christopher Lindeen
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CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing pleading was transmitted by ACE filing to the following this 18th day of December 2006.

/s/ Chris Lindeen
L. Christopher Lindeen

Special Master Vickie L. Gabin
USDC-DCNM
P.O. Box 2384
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